



Testimony before the Housing Committee
Greg Kirschner, Legal Director, Connecticut Fair Housing Center
In Opposition To House Bill 5342

Senator Winfield, Representative Butler, and members of the Housing Committee, thank you for taking the time to listen to my testimony today.

My name is Greg Kirschner. I am the Legal Director at the Connecticut Fair Housing Center, and have been involved in representing the victims of housing discrimination for more than ten years.

Connecticut has a proud history of leadership when it comes to recognizing and protecting its citizens' civil rights. In 1943, before the federal government had even desegregated the military, Connecticut had created a first in the nation civil rights commission. By 1949, Connecticut began the process of outlawing housing discrimination. In 1963, when other states promised their citizens "segregation forever," Connecticut banned housing discrimination – five years before the tragic assassination of Martin Luther King, Jr. ushered in the passage of the federal Fair Housing Act.

H.B. 5342 is contrary to this proud legacy, and will set the cause of civil rights in Connecticut back half a century. H.B. 5342 undermines the fundamental enforcement mechanism of the state's fair housing laws. It erodes the deterrent purpose of the law and makes a deeply troubling moral statement that victims of discrimination don't matter and that the State does not recognize the real emotional and psychological impact discrimination has on people who experience discrimination.

By limiting damages a victim of housing discrimination can recover solely to economic losses, H.B. 5342 devalues the deep and lasting harm discrimination works upon its victims. Surely a grandmother who can't provide a yard for her granddaughter to play in because the large out of state landlord won't take Section 8 loses more than just the money spent on gasoline in a fruitless search for another home? Is the cost of additional application fees the only measure of harm for a mother who can't move her children to a safer neighborhood because the landlord thinks the neighbors there wouldn't appreciate "too many blacks" moving in? Does a person with a disability consigned to living in a nursing home because a housing provider rejects him as being "too disabled" truly have no compensable injury because he did not have any financial expenditures as a result? Can a fair housing law that leaves no tool for punishing a housing provider who tells prospective tenants that Jews, or Muslims or Christians aren't welcome ever achieve its stated purpose of eliminating housing discrimination?

Enforcement of our fair housing laws rely on individuals reporting and re-living traumatic experiences that have lasting negative consequences for their lives and the lives of their family members. Many of the individuals who utilize the public hearing process do so without the benefit of counsel. This amendment would create a public hearing process that offers little redress for these individuals as the Commission would have few tools to vindicate the complainants' rights. Weakening the state's fair housing law will discourage victims of discrimination from coming forward because it signals an indifference by the State to their suffering and to deterring unlawful discrimination.

In addition, while the purpose of the amendment of prohibiting victims of housing discrimination from filing "more than one complaint for each discriminatory housing practice or set of related discriminatory housing practices" is not entirely clear, it would seem to essentially repeal the statutes' prohibition of retaliation against individuals who file fair housing complaints because a complaint about retaliation would necessarily be related to the original discriminatory

practice. As a consequence victims of housing discrimination would be left without recourse to the Commission should they be targeted for retaliation based on their advocacy for their fair housing rights.

Finally, this drastic change to the state's fair housing law conflicts with Connecticut's federal obligations. First, it will almost certainly result in a finding that Connecticut's law is no longer substantially equivalent to the federal Fair Housing Act, placing significant federal funding for the Commission in jeopardy. Second, as a requirement of all funding received from HUD, Connecticut has an obligation to affirmatively further fair housing. Rolling back the State's fair housing law is clearly inconsistent with that obligation.

Connecticut has spent more than 70 years building a robust framework to protect its citizens from housing discrimination. H.B. 5342 is a significant step backward for Connecticut that will end our historical position of leadership in the realm of civil rights.

I urge you to vote no on H.B. 5342.

